

### **REMARKS**

Claims 1-13 are pending. Claims 2, 10-13 have been canceled.

Claims 1, 3, and 8 stand rejected under 35 USC §103(a) as being allegedly unpatentable over applicant's admitted prior art in view of Cathey (US 5,844,370).

Claims 2-7, 9, 12 and 13 stand objected to but would be allowable if rewritten in independent form.

#### **Changes in the Claims:**

Claims 2, 10-13 have been canceled.

Claim 1 has been amended to include limitations of canceled claim 2.

Claim 4 has been amended to depend from claim 1.

Claim 7 has been amended to delete language already included in claim 1.

No new matter has been added.

#### **Rejection under 35 USC §103(a) – claims 1, 3, and 8**

Claims 1, 3, and 8 stand rejected under 35 USC §103(a) as being allegedly unpatentable over applicant's admitted prior art in view of Cathey (US 5,844,370). This rejection is respectfully traversed.

Under MPEP §706.02(j), in order to establish a prima facie case of obviousness required for a §103 rejection, three basic criteria must be met: (1) there must be some suggestion or motivation either in the references or knowledge generally available to modify the reference or combine reference teachings (MPEP §2143.01), (2) a reasonable expectation of success (MPEP §2143.02), and (3) the prior art must teach or suggest all

the claim limitations (MPEP §2143.03). See In re Royka, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974).

Cathey describes a field emission display that includes electrostatic discharge protection circuits coupled to an emitter substrate and an extraction grid. See Abstract of Cathey.

The proposed combination of Applicant's admitted prior art with Cathey does not teach or suggest "the commutation component (18,20) having an HV transistor with a first electrode (40, 50) integrated in the first substrate (2), a second electrode (42,52) integrated in the second substrate (12) and a third electrode (44,54) integrated in the extraction grid (8)." See claim 1.

Applicant therefore submits that the rejection based Applicant's admitted prior art and the Cathey reference is improper and should be withdrawn. Thus, Applicant submits that claims 1, 3, and 8 recite novel subject matter which distinguishes over any possible combination of Applicant's admitted prior art and the Cathey reference.

### **Conclusion**

For all of the above reasons, applicants submit that the amended claims are now in proper form, and that the amended claims all define patentable subject matter over the prior art. Therefore, Applicants submit that this application is now in condition for allowance.


**Request for allowance**

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Please charge any required fee or credit any overpayment not otherwise paid or credited to our deposit account #50-1698.

Respectfully submitted,  
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